

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

N.Y.S.D. Case #
12-cv-0161(PAE)

MANDATE

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 14th day of May, two thousand and fifteen.

Before: Dennis Jacobs,
Reena Raggi,
Debra Ann Livingston,
Circuit Judges.

**USDC SDNY
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DOC #:** _____
DATE FILED: June 08, 2015

Ronald A. Roganti,

Plaintiff-Appellee-Cross-Appellant,

JUDGMENT

Docket No. 13-4532 (L), 13-4684 (XAP)

v.

Metropolitan Life Insurance Company, Metropolitan Life Retirement Plan For United States Employees, Savings and Investment Plan For Employees of Metropolitan Life and Participating Affiliates, The MetLife Auxiliary Pension Plan, The Metropolitan Life Supplemental Auxiliary Savings and Investment Plan,

Defendants-Appellants-Cross-Appellees.

The appeals in the above captioned case from a judgment of the United States District Court for the Southern District of New York were argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the portion of the district court's judgment granting Appellee-Cross-Appellant relief under ERISA is REVERSED, and the portion of the judgment denying Appellee-Cross-Appellant's request for attorney's fees is AFFIRMED.

For The Court:
Catherine O'Hagan Wolfe,
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

Catherine O'Hagan Wolfe

MANDATE ISSUED ON 06/05/2015